

07495-59553 (RER)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY SS D.C.
05 AUG 29 AM 8:47
POMPA M. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TN JACKSON

DALE LEO and THERESA LEO)	
)	
Plaintiffs,)	
)	
VS.)	No. 1-05-1130-T/AN
)	
WELD WHEEL INDUSTRIES, INC.,)	
WELD DISTRIBUTION, INC., and)	
WELD RACING, INC.)	
)	
Defendants.)	

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

INITIAL DISCLOSURES (Rule 26(a)(1)): September 13, 2005

MOTIONS TO AMEND PLEADINGS AND JOIN PARTIES:

For Plaintiff:	September 30, 2005
For Defendant:	October 31, 2005

DISCOVERY:

- (a) REQUESTS FOR PRODUCTION, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: February 28, 2006
 - (i) Each party is limited to thirty (30) interrogatories
- (b) EXPERT DISCLOSURE (Rule 26(a)(2)):
 - (i) Plaintiff's Experts: January 16, 2006
 - (ii) Defendant's Experts: February 16, 2006
 - (iii) Supplementation under Rule 26(e): February 27, 2006
- (c) DEPOSITIONS: March 31, 2006

07495-59553 (RER)

- (i) Each deposition is limited to a maximum of one (1) seven (7) hour day.
- (d) SUPPLEMENTATION: Supplementation under Rule 26(e) due as required by the Federal Rules of Civil Procedure but no less than sixty (60) days before the date of trial without leave of court or by agreement of the parties.

FILING DISPOSITIVE MOTIONS:

April 24, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: June 9, 2006
- (b) for Defendant: June 23, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 2 to 3 days and is SET for JURY TRIAL beginning July 24, 2006 at 9:30 a.m. A joint pretrial order is due on July 14, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial. A pretrial conference may be scheduled upon request of the parties.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded the pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes

07495-59553 (RER)

that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

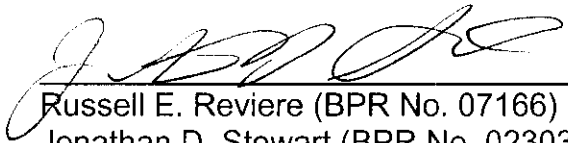
DATED: This the 26th day of August, 2005.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

07495-59553 (RER)

APPROVED FOR ENTRY:



Russell E. Reviere (BPR No. 07166)

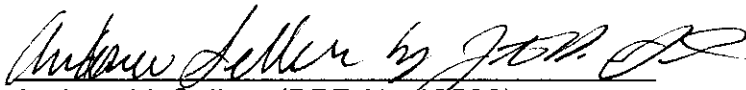
Jonathan D. Stewart (BPR No. 023039)

Attorneys for Defendants

209 East Main Street

P.O. Box 1147

Jackson, TN 38302-1147



Andrew V. Sellers (BPR No. 49586)

Waldrop & Hall, PA

Attorney for Plaintiffs

P.O. Box 726

Jackson, TN 38302



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 1:05-CV-01130 was distributed by fax, mail, or direct printing on August 30, 2005 to the parties listed.

Andrew V. Sellers
WALDROP & HALL
106 S. Liberty Street
P.O. Box 726
Jackson, TN 38302--072

Jonathan David Stewart
RAINEY KIZER BUTLER REVIERE & BELL
209 East Main Street
Jackson, TN 38302--114

Russell E. Reviere
RAINEY KIZER REVIERE & BELL
209 E. Main Street
Jackson, TN 38302--114

Honorable James Todd
US DISTRICT COURT